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10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12  
13 In the Matter of the Accusation Against:

Case No. *2013 - 877*

14 **MARK CHRISTOPHER STRICKLAND**  
2738 Roosevelt Blvd., #422  
15 Clearwater, FL 33760

**A C C U S A T I O N**

16 **Registered Nurse License No. 685984**

17 Respondent.  
18

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant), brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing (Board),  
23 Department of Consumer Affairs.

24 2. On or about August 9, 2006, the Board issued Registered Nurse License Number  
25 685984 to Mark Christopher Strickland (Respondent). The Registered Nurse License was in full  
26 force and effect at all times relevant to the charges brought herein and will expire on August 31,  
27 2014, unless renewed.

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1 administer to another, any controlled substance as defined in Division 10 (commencing with  
2 Section 11000) of the health and Safety Code or any dangerous drug or dangerous device as  
3 defined in Section 4022.

4 ...

#### 5 COST RECOVERY

6 8. Code section 125.3 provides, in pertinent part, that the Board may request the  
7 administrative law judge to direct a licentiate found to have committed a violation or violations of  
8 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
9 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
10 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
11 included in a stipulated settlement.

#### 12 CONTROLLED SUBSTANCES AND DANGEROUS DRUGS

13 9. Code section 4021 states that a "'Controlled substance' means any substance listed in  
14 Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code."

15 10. Code section 4022 sets forth that a "'Dangerous drug' or 'dangerous device' means  
16 any drug or device unsafe for self-use in humans or animals, and includes the following:

17 (a) Any drug that bears the legend: 'Caution: federal law prohibits dispensing without  
18 prescription,' 'Rx only' or words of similar import.

19 (b) Any device that bears the statement: 'Caution: federal law restricts this device to sale  
20 by or on the order of a \_\_\_\_\_,' 'Rx only,' or words of similar import . . .

21 (c) Any other drug or device that by federal or state law can be lawfully dispensed only on  
22 prescription or furnished pursuant to Section 4006."

23 11. **Hydromorphone**, also referred to as **Dilaudid**, is a Schedule II controlled substance  
24 pursuant Health and Safety Code section 11055, and a dangerous drug as defined in Code section  
25 4022. It is a semi-synthetic drug of the opioid class used for pain.

26 12. **Fentanyl** is a Schedule II controlled substance pursuant Health and Safety Code  
27 section 11055 and a dangerous drug as defined in Code section 4022. It is a synthetic narcotic  
28 analgesic used in the management of chronic pain.

1 FIRST CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Out of State Discipline)

3 (Bus. & Prof. Section 2761, subd. (a)(4))

4 13. Respondent is subject to disciplinary action under Code section 2761, subdivision

5 (a)(4), in that on or about June 21, 2012, in an administrative action entitled *Department of*  
6 *Health vs. Mark Christopher Strickland*, Case No. 2011-15878, the State of Florida Board of  
7 Nursing (Florida Board) disciplined Respondent's Florida nursing license by way of a settlement  
8 agreement suspending the license until Respondent entered the Intervention Project for Nurses  
9 (IPN), and fully complied with any and all conditions imposed by IPN. The circumstances  
underlying this discipline follow.

10 14. On or about September 2, 2011, while employed as a registered nurse and operations  
11 manager for outpatient radiology at American Access Care of Orlando (AAC) in Orlando,  
12 Florida, Respondent called 911 to report that he had been assaulted, struck in the head with a pry  
13 bar, and stabbed multiple times while on duty at AAC. Respondent was hospitalized for his  
14 injuries and a police investigation ensued. Detectives discovered that all of the narcotics in the  
15 AAC's narcotic box were missing. In fact, Respondent's injuries were self-inflicted and he had  
16 stolen the contents of the narcotics box himself. Respondent admitted that he staged the assault  
17 and theft in an attempt to cover up the fact that he had filled a 60 ml syringe with Dilaudid and  
18 Fentanyl from the narcotics box for self-administration.

19 SECOND CAUSE FOR DISCIPLINE

20 (Unprofessional Conduct)

21 (Bus. & Prof. Section 2762, subd. (a))

22 15. Respondent is subject to disciplinary action under Code section 2762, subdivision (a),  
23 in that Respondent unlawfully obtained or possessed or administered to himself controlled  
24 substances as defined in Division 10 (commencing with Section 11000) of the Health and Safety  
Code or any dangerous drug as defined in Section 4022, as described in paragraph 14, above.

25 PRAYER

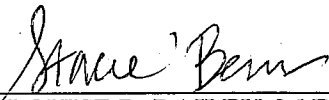
26 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
27 and that following the hearing, the Board of Registered Nursing issue a decision:  
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1. Revoking or suspending Registered Nurse License Number 685984, issued to Mark Christopher Strickland;

2. Ordering Mark Christopher Strickland to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: APRIL 8, 2013

  
fr LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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